

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application
Serial No. 10/707,921) Confirmation No. 1920
Applicant: ERFAN, Onjé)
Filed 01/26/2004)
TC/AU 3762)
Examiner: Lenwood Faulcon Jr.)

Attorney Docket No. ERF125)
Customer No. 26092)

**DECLARATION OF JIM GOEBEL
UNDER 37 C.F.R. 1.132**

1. I am Jim Goebel. I design and administer the Internet site www.net1device.com for Dr. Onjé Erfan. I have been asked to research and verify when this site first disclosed the Net 1000 device.
2. My research included review of the archived versions of the web site as recorded at archive.org. On information and belief, archive.org locates and stores web pages according to date.
3. I attach Exhibit 1 showing the index page from archive.org for the web site net1device.com. The URL for this index page is http://web.archive.org/web/*/http://www.net1device.com
4. From the index page of Exhibit 1, I reviewed the archived web site for the following dates, which are attached as Exhibit 2, 3, 4, and 5:

Exhibit 2, January 22, 2003 (one year and three days before patent application filing date), archived at
<http://web.archive.org/web/20030122031927/http://www.net1device.com/>

Exhibit 3, February 5, 2003 (less than one year before patent application filing date), archived at
<http://web.archive.org/web/20030205104102/http://net1device.com/>

Appl. No. 10/707,921
Appendix to Amdt. Dated January 6, 2006

Exhibit 4, March 29, 2004 (less than one year before patent application filing date, immediately prior to asterisk marked archived site, where archive.org says asterisk denotes site update), archived at
<http://web.archive.org/web/20040329131721/http://net1device.com/>

Exhibit 5, May 18, 2004 (less than one year before patent application filing date, where archive.org has marked this record with an asterisk denoting site update), archived at
<http://web.archive.org/web/20040518004642/http://www.net1device.com/>

5. Exhibit 2 shows a web site that does not mention the Net 1000 device. This is the nearest archive prior to one year before patent application filing date.

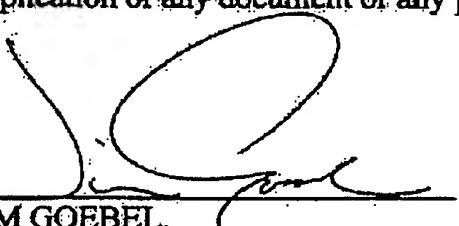
6. Exhibits 3 and 4 show a web site that does not mention the Net 1000 device. Both archives are within one year of patent application filing date.

7. Exhibit 5 is the first archive showing mention of Net 1000. Comparison of Exhibit 4 and Exhibit 5 shows that Net 1000 first appeared between March 29 and May 18, 2004. The patent application was filed January 26, 2004, which is prior to the archive dates of Exhibits 4 and 5.

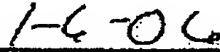
8. Other business records and my best recollection of events are in agreement that the Net 1000 was not disclosed on the web site prior to the filing date of this patent application.

VERIFICATION:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any document or any patent resulting there from.



JIM GOEBEL



Date



Enter Web Address: <http://www.net1device.com>

Searched for <http://www.net1device.com>

Note some duplicates are not shown. See all.
* denotes when site was updated.

Search Results for Jan 01, 1996 - Jan 05, 2006

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
0 pages	0 pages	1 pages	4 pages	0 pages	7 pages	12 pages	18 pages	9 pages	4 pages	0 pages
		<u>Dec 07, 1998 *</u>	<u>Jan 25, 1999</u>	<u>Feb 08, 1999</u>	<u>Feb 02, 2001</u>	<u>Jan 24, 2001 *</u>	<u>Jan 18, 2002</u>	<u>Jan 22, 2003</u>	<u>Jan 22, 2004</u>	<u>Jan 29, 2005 *</u>
				<u>Feb 09, 1999</u>		<u>May 25, 2002</u>		<u>Feb 05, 2003</u>	<u>Mar 22, 2004</u>	<u>Feb 03, 2005 *</u>
						<u>Mar 02, 2001 *</u>	<u>Jul 20, 2002</u>	<u>Feb 16, 2003</u>	<u>Mar 29, 2004</u>	<u>Feb 10, 2005</u>
						<u>Apr 19, 2001</u>	<u>Aug 03, 2002</u>	<u>Feb 20, 2003</u>	<u>May 18, 2004 *</u>	<u>Mar 05, 2005</u>
						<u>May 15, 2001</u>	<u>Sep 23, 2002</u>	<u>Mar 29, 2003</u>	<u>Jul 02, 2004 *</u>	
						<u>Sep 25, 2001</u>	<u>Sep 25, 2002</u>	<u>Apr 22, 2003</u>	<u>Aug 26, 2004 *</u>	
						<u>Dec 02, 2001</u>	<u>Sep 28, 2002</u>	<u>Apr 24, 2003</u>	<u>Sep 24, 2004 *</u>	
							<u>Sep 29, 2002</u>	<u>May 29, 2003</u>	<u>Sep 26, 2004 *</u>	
							<u>Nov 22, 2002 *</u>	<u>Jun 01, 2003</u>	<u>Oct 09, 2004</u>	
							<u>Nov 24, 2002</u>	<u>Jun 23, 2003</u>	<u>Sep 19, 2003</u>	
							<u>Nov 26, 2002</u>	<u>Jul 24, 2003</u>	<u>Oct 22, 2003</u>	
							<u>Nov 28, 2002</u>	<u>Jul 26, 2003</u>	<u>Nov 19, 2003</u>	
								<u>Aug 06, 2003</u>	<u>Nov 29, 2003</u>	
									<u>Dec 18, 2003</u>	

10/707,921

EXHIBIT 1

Page 1 of 1

[Home](#) | [Help](#)

[Internet Archive](#) | [Terms of Use](#) | [Privacy Policy](#)

Auri-Stim Medical, Inc. developer of the Neuro-Electric-Therapy (NET-I™) device is a privately held company. The company has not received any financial support from government or other sources for the research and development, and a limited support for its clinical trials from the C. Foundation.

The NET-I™ device is the result of years of research and development. It produces and delivers specifically defined electrical signals to electrodes placed in contact with the outer ear. The NET-I is a highly sophisticated electronic unit that makes treatment immediately available whenever there is a need for it.

The NET-I device offers a viable alternative therapy to millions of individuals who suffer from migraine, hormonal, chronic headaches, premenstrual syndrome (PMS), nicotine and narcotics addictions. It has proven extremely successful for those who have not responded well to other types of treatment and for those who cannot physiologically tolerate medications or nicotine substitute products and have found these to be ineffective. It is a non-invasive and non-addictive device. It can also be used in conjunction with medications without concern for contraindications.

NET-I May Reduce:

- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Alcohol Withdrawal Symptoms
- Menstrual Disorders (PMS)
- Migraine, Hormonal, chronic Headaches

Advantages of using the NET-I device over other methods:

- Self Therapy
- Safe
- Time efficient
- Non-invasive
- Highly effective
- Non-addictive

10/707,921

EXHIBIT 2

Page 1 of 2



- Painless
- No narcotic side effects/dependency
- Imperceptible Electrical Output
- Cost effective
- Easy to operate for children & adults

[How NET-I Works](#) | [Availability](#) | [Specifications](#) | [Instructions](#) | [Results & Studies](#)
[Legal / Regulatory Issues](#) | [Video](#) | [How to Order / Contact Us](#) | [Home](#)

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10/707,921

EXHIBIT 2

Page 2 of 2

NET-I
Auri-Stim Medical, Inc. developer of the Neuro-Electric-Therapy (NET-I™) device

How Net-I Works

Availability

Specifications

Instructions

Results & Studies

Video

**How to Order/
Contact Us**

Home

Auri-Stim Medical, Inc. developer of the Neuro-Electric-Therapy (NET-I™) device is a privately held company. The company has not received any financial support from government or other sources for the research and development, and a limited support for its clinical trials from the C. Foundation.

The NET-I™ device is the result of years of research and development. It produces and delivers specifically defined electrical signals to electrodes placed in contact with the outer ear. The NET-I is a highly sophisticated electronic unit that makes treatment immediately available whenever there is a need for it.

therapy to millions of individuals who suffer from migraine, hormonal, chronic headaches, premenstrual syndrome (PMS), nicotine and narcotics addictions. has proven extremely successful for those who have not responded well to other types of treatment and for those who cannot physiologically tolerate medications or nicotine substitute products and have found these to be ineffective. It is a non-invasive and non-addictive device. It can also be used in conjunction with medications without concern for contraindications.

NET-I May Reduce:

- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Alcohol Withdrawal Symptoms
- Menstrual Disorders (PMS)
- Migraine, Hormonal, chronic Headaches

Advantages of using the NET-I device over other methods:

- Self Therapy
- Safe
- Time efficient
- Non-invasive
- Highly effective
- Non-addictive

10/707,921

EXHIBIT 3

Page 1 of 2



- Painless
- No narcotic side effects/dependency
- Imperceptible Electrical Output
- Cost effective
- Easy to operate for children & adults

[How NET-I Works](#) | [Availability](#) | [Specifications](#) | [Instructions](#) | [Results & S](#)
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10/707,921

EXHIBIT 3

Page 2 of 2

The screenshot shows the homepage of the NET-I website. At the top, there's a large banner with the text "NET-I" and "NEURO-ELECTRIC-THERAPY". Below the banner, on the left, is a vertical menu with links: "How Net-I Works", "Availability", "Specifications", "Instructions", "Results & Studies", "Video", "How to Order/Contact Us", and "Home". In the center, there's a large profile silhouette of a person's head facing right. To the right of the silhouette, there's text about the developer, Auri-Stim Medical, Inc., and a paragraph describing the NET-I device as a self-therapy unit. Further down, there's a section titled "NET-I May Reduce:" followed by a list of symptoms. On the far right, there's a section titled "Advantages of using the NET-I device over other methods:" with a list of advantages.

Auri-Stim Medical, Inc. developer of the Neuro-Electric-Therapy (NET-I™) device is a privately held company. The company has not received any financial support from government or other sources for the research and development, and a limited support for its clinical trials from the C. Foundation.

The NET-I™ device is the result of years of research and development. It produces a signal that delivers specifically defined electrical stimulation to electrodes placed in contact with the outer ear. The NET-I is a highly sophisticated electronic unit that makes treatment immediately available whenever there is a need for it.

The NET-I device offers a viable alternative therapy to millions of individuals who suffer from migraine, hormonal, chronic headaches, premenstrual syndrome (PMS), nicotine and narcotics addictions. It has proven extremely successful for those who have not responded well to other types of treatment and for those who cannot physiologically tolerate medications or nicotine substitute products and have found these to be ineffective. It is a non-invasive and non-addictive device. It can also be used in conjunction with medications without concern for contraindications.

NET-I May Reduce:

- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Alcohol Withdrawal Symptoms
- Menstrual Disorders (PMS)
- Migraine, Hormonal, chronic Headaches

Advantages of using the NET-I device over other methods:

- Self Therapy
- Safe
- Time efficient
- Non-invasive
- Highly effective
- Non-addictive

10/707,921

EXHIBIT 4

Page 1 of 2

BEST AVAILABLE COPY



- Painless
- No narcotic side effects/dependency
- Imperceptible Electrical Output
- Cost effective
- Easy to operate for children & adults

[How NET-I Works](#) | [Availability](#) | [Specifications](#) | [Instructions](#) | [Results & S:](#)
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EXHIBIT 4

Page 2 of 2

The screenshot shows a website for Neuro-Electric-Therapy (NET-1000). The top banner features a large stylized 'A' logo and the text 'NET-1000' followed by 'NEURO-ELECTRIC-THERAPY'. Below the banner, there is a sidebar menu with the following items:

- How Net-I Works
- Net-2000
- Specifications
- Instructions
- Results & Studies
- Legal / Regulatory Issues
- How to Order/ Contact Us
- Home

The main content area contains a large profile silhouette of a person facing right. To the right of the profile, there is a detailed text block:

Auri-Stim Medical, Inc. developer of Neuro-Electric-Therapy (NET-1000™ device is a privately held company. The company has solely funded the research and development activities since its inception. The device is capable of Auricular and Transcranial electrical stimulation. It produces and delivers specifically defined electrical signals to electrodes placed in contact with the outer ears. The NET-1000 device is the next generation of Auricular therapy stimulator that has replaced the NET device. The device was used to collect data in all our clinical trials. Electronically and functionally NET-1000 device is more sophisticated than the NET-I.

The Company would like to acknowledge the Coors Family and Coors Foundation for their contributions and grants given to the University of Colorado, Boulder, CO for the initial clinical trials.

The NET-1000 device offers a viable alternative therapy to millions of individuals who suffer from Migraine Headaches, Hormonal Migraine, Chronic Headaches, Premenstrual Syndrome (PMS), Nicotine and Narcotics Addiction. The device has also proven safe and highly effective for individuals who do not respond well to medications and other types of therapy. And individuals who cannot physiologically tolerate medications or nicotine substitute products. The device is safe, non-invasive and non-addictive. If needed, it can be used in conjunction with medications without concern for adverse reactions.

NET-1000 Device Reduces:

- Migraine, Hormonal Migraine, and Chronic Headaches
- Menstrual Disorders (PMS)
- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Depression, Anxiety, and Stress Related to Chronic Pain and Addiction

Advantages of using the NET-1000 device over other methods:

10/707,921

EXHIBIT 5

Page 1 of 2



- Safe
- Highly Effective
- No Narcotic Side Effects
- Non-Addictive
- Non-Invasive
- Painless
- Cost-Effective
- Time-Efficient
- Self-Therapy
- Easy to operate by children & adult

[Availability](#) | [Specifications](#) | [Instructions](#) | [Results & Studies](#)
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EXHIBIT 5

Page 2 of 2